

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Scott A. Marx**  
Debtor(s)

Bankruptcy Case No.: 19-21621-GLT  
Issued Per 10/24/2019 Proceeding  
Chapter: 13  
Docket No.: 55 - 48  
Concil. Conf.: October 24, 2019 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 5, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 24, 2019 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Plan confirmed on following representation of Counsel. Debtor(s) shall file amended Schedule I, as soon as circumstances change. Any indicated increase in disposable income (and UNS POT) is retroactive to date of change in circumstances: Debtor's NFS lives apart and there has been no change in income.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: October 28, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Scott A. Marx  
 Debtor

Case No. 19-21621-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 34

Date Rcvd: Oct 28, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 30, 2019.

db +Scott A. Marx, 711 Gallion Avenue, Pittsburgh, PA 15226-1630  
 cr +City of Pittsburgh & School District of Pittsburgh, Goehring, Rutter, and Boehm,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,  
 UNITED STATES OF AMERICA 15219-6101  
 cr +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,  
 UNITED STATES OF AMERICA 15219-6101  
 cr +Planet Home Lending, LLC., 321 Research Parkway, Suite 303, Meriden, CT 06450-8342  
 15037436 +Anthony Palandro, 1324 Beechview Avenue, Pittsburgh, PA 15216-3344  
 15037439 +City of Pittsburgh/SD of Pittsburgh, c/o Jordan Tax Service, Inc., 102 Rahway Road,  
 Canonsburg, PA 15317-3349  
 15092424 +City of Pittsburgh & School Dist. of Pittsburgh, Goehring Rutter & Boehm,  
 c/o Jeffery R. Hunt, Esq., 437 Grant Street, 14th Floor, Frick Building,  
 Pittsburgh PA 15219-6101  
 15037442 +Duquesne Light, Payment Processing Center, P.O. Box 10, Pittsburgh, PA 15267-0001  
 15037444 Florida Department of Education, Office of Student, PO Box 7019,  
 Tallahassee, FL 32314-7019  
 15037445 +KML Law Group P.C., c/o Scott A Marx, Esquire, Suite-5000, 701 Market Street,  
 Philadelphia, PA 19106-1538  
 15037446 +McElrath Legal Holdings, LLC, 1641 Saw Mill Run Blvd., Pittsburgh, PA 15210-3433  
 15037447 +Mr. Cooper, Attn: Customer Relations, PO Box 619098, Dallas, TX 75261-9098  
 15037448 +NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage LLC, 350 Highland Drive,  
 Lewisville, TX 75067)  
 15037449 +PA Department of Labor & Industry, PO Box 28405, Harrisburg, PA 17128-0001  
 15037451 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,  
 Pittsburgh, PA 15233-1828  
 15037452 +Pittsburgh American Water, PO Box 578, Alton, IL 62002-0578  
 15037453 +Pittsburgh Water & Sewer Authority, 1200 Penn Ave. #100, Pittsburgh, PA 15222-4216  
 15091546 +Pittsburgh Water and Sewer Authority, Goehring Rutter & Boehm, c/o Jeffery R. Hunt, Esq.,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101  
 15037456 +Thompson Law Group, 125 Warrendale-Bayne Road, Suite 200, Warrendale, PA 15086-6504  
 15142727 +Wilmington Trust, National Association, et al., c/o Planet Home Lending LLC,  
 321 Research Parkway, Suite 303, Meriden, CT 06450-8342

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15059154 +E-mail/Text: csc.bankruptcy@amwater.com Oct 29 2019 03:12:20 American Water,  
 c/o Pennsylvania American Water, PO Box 578, Alton, IL 62002-0578  
 15037437 +E-mail/Text: bnc@atlasacq.com Oct 29 2019 03:10:50 Atlas Acquisitions LLC, 294 Union St.,  
 Hackensack, NJ 07601-4303  
 15037438 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 29 2019 03:09:15 Capital 1 Bank,  
 Attn: Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285  
 15037440 +E-mail/PDF: creditonebknofications@resurgent.com Oct 29 2019 03:08:56 Credit One Bank,  
 Attn: Bankruptcy, PO Box 98873, Las Vegas, NV 89193-8873  
 15037441 +E-mail/Text: bankruptcynotices@dcicollect.com Oct 29 2019 03:12:02  
 Diversified Consultants, Inc., Re: Dish Network, PO Box 551268,  
 Jacksonville, FL 32255-1268  
 15037443 +E-mail/Text: kbarkley@bernsteinlaw.com Oct 29 2019 03:12:09 Duquesne Light,  
 Bernstein Law Firm, 411 7th Avenue, Maildrop 7-3, Pittsburgh, PA 15219-1919  
 15077415 +E-mail/Text: kbarkley@bernsteinlaw.com Oct 29 2019 03:12:09 Duquesne Light Company,  
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,  
 Pittsburgh, PA 15219-1945  
 15045146 E-mail/PDF: resurgentbknofications@resurgent.com Oct 29 2019 03:08:59 LVNV Funding, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 15037450 E-mail/Text: lizb@peoplescredit.com Oct 29 2019 03:10:45 Peoples Credit Co.,  
 4950 NE 148th Street, Portland, OR 97230  
 15077849 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Oct 29 2019 03:31:59  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 15037454 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Oct 29 2019 03:09:57  
 Portfolio Recovery Associates, Re: Capital One, PO Box 4115, Concord, CA 94524-4115  
 15037455 E-mail/Text: appebnmailbox@sprint.com Oct 29 2019 03:11:30 Sprint Corp,  
 Attn: Bankruptcy Dept., PO Box 7949, Overland Park, KS 66207  
 15037457 +E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Oct 29 2019 03:10:40  
 Verizon, Verizon Wireless Bankruptcy Admin, 500 Tecnolgy Dr Ste 500,  
 Weldon Springs, MO 63304-2225  
 15074241 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Oct 29 2019 06:27:19 Verizon,  
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 14

District/off: 0315-2

User: dbas  
Form ID: 149

Page 2 of 2  
Total Noticed: 34

Date Rcvd: Oct 28, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Nationstar Mortgage LLC d/b/a Mr. Cooper  
cr\* +Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303  
cr\* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,  
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945  
cr\* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
Pittsburgh, PA 15233-1828  
15075845\* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
(address filed with court: Nationstar Mortgage LLC, d/b/a Mr. Cooper, P.O. Box 619096,  
Dallas, TX 75261-9741)

TOTALS: 1, \* 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 30, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 28, 2019 at the address(es) listed below:

Bryan P. Keenan on behalf of Debtor Scott A. Marx keenan662@gmail.com, melindap662@gmail.com  
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper  
bkgroup@kmlawgroup.com  
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jeffrey R. Hunt on behalf of Creditor City of Pittsburgh & School District of Pittsburgh  
jhunt@grblaw.com, cnoroski@grblaw.com  
Karina Velter on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper  
amps@manleydeas.com  
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com/srk@sjwpgh.com

TOTAL: 9